

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE EVETTE NICOLE REED,

Debtor,

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Case No.: 4:16cv633 RLW

**MEMORANDUM AND ORDER**

This matter is before the Court on the Motion for Rehearing of Appellant Ross H. Briggs. (ECF No. 59).<sup>1</sup> An opposition was filed on January 24, 2017. (ECF No. 68). This matter is fully briefed and ready for disposition.

In the Motion for Rehearing, Appellant Briggs argues that the Court “overlooked or misapprehended that the April 20, 2016 Memorandum Opinion and Judgment of the Bankruptcy Court (the ‘April 20 Judgment’) failed to identify with any specificity 1) the nature of the information or documents that Briggs failed to turnover in violation of the Bankruptcy Court’s Turnover Order; 2) the statement made by Appellant Briggs to the Bankruptcy Court which was alleged to be misleading, and 3) the existence of any evidence whatsoever in support of either of the foregoing findings.” (ECF No. 59).

In response, The United States Bankruptcy Court, Eastern District of Missouri and the Honorable Charles E. Rendlen III (collectively, the “Interested Parties”) assert that the Motion for Rehearing has no merit. The Interested Parties note that Appellant has not identified anything in the record to demonstrate an abuse of discretion. The Interested Parties further identify that the Bankruptcy Court’s April 20, 2016 Order included a section entitled “Findings that Briggs Willfully Made Misleading Statements” and contains the Bankruptcy Court’s findings regarding alleged misleading statements made by Appellant.

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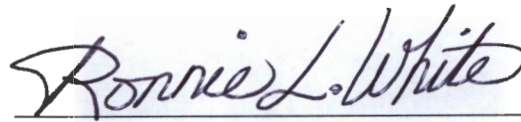
<sup>1</sup> Critique Services, LLC is also referred to herein as “Critique Services” and “Critique.” Ross Briggs is also referred to herein as “Briggs”. Collectively, they are referred to as “Appellants”.

The Court holds that the Motion for Rehearing raises no issues that were not previously addressed by this Court. Appellant argues that he never received any funds from Attorney Robinson. However, this Court previously noted that the receipt of funds was not the basis of his sanction. Rather, Briggs was sanctioned for failure to turnover information and for making misleading statements to the Court. Appellant has not cited to anything in the record to dispute the Bankruptcy Court's findings and this Court's ruling. Moreover, as noted by the Interested Parties, the Bankruptcy Court provided explicit findings regarding Briggs' misleading statements. The Court holds that there was no clear error in the Bankruptcy Court's findings.

Accordingly,

**IT IS HEREBY ORDERED** that the Motion for Rehearing of Appellant Ross H. Briggs. (ECF No. 59) is **DENIED**.

Dated this 5th day of February, 2017.

  
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RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE